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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,363	04/15/2004	Chang Nam Kim	K-0634	6306
70144 7590 02/26/2009 HOLLAND & KNIGHT LLP 2099 PENNSYLVANIA AVE SUITE 100 WASHINGTON, DC 20006			EXAMINER GUHARAY, KARABI	
			ART UNIT 2889	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/824,363

Applicant(s)

KIM, CHANG NAM

Examiner

Karabi Guharay

Art Unit

2889

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on RCE, filed on 1/13/09.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7,10,12,13,24 and 26-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-7,10,12,13,24 and 26-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Continued Examination under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/13/2009 has been entered.

Response to Amendment

Amendment, filed on 1/13/09 has been considered and entered.

Claims 1, 6 & 24 are amended.

Specification

The amendment filed 1/13/2009 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

New limitations “a first distance between the holes arranged along the first direction is smaller than a second distance between the holes arranged along the second direction” of claims 1, 6 and 24 are not disclosed in original disclosure. Paragraph 46 of the specification only recites that distances should be greater than zero. Even Fig 6 does not clearly shows that the distances are different.

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 6 & 24 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

New limitations “a first distance between the holes arranged along the first direction is smaller than a second distance between the holes arranged along the second direction” of claims 1, 6 and 24 are not disclosed in original disclosure. Paragraph 46 of the specification only recites that distances should be greater than zero, nowhere it is mentioned that distance in first direction is smaller than the distance in second direction. Fig 6 does not cure for that since Fig 6 does not clearly show that the distances are different. First distance between holes

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 5, 10, 24-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Fleming et al. (US 6,111,357).

Regarding claim 1, Fleming et al. disclose an organic EL display device (see Fig 1A, 5B) comprising a glass substrate (12; line 35 of column 9); first electrode layer or an indium tin oxide

strip (anode 14 is made of ITO, lines 19-20 of column 2); a counter electrode (metallized leaders 20; lines 1-6 of column 7); an organic EL layer (16), a second electrode layer or cathode strip (18) and a seal cover (cover 70 of Fig 2A) over the glass substrate 12 (See Fig 5B) , wherein the organic EL layer is formed between the ITO strip (14) and the cathode strip (18; lines 43-52 of column 6) and the counter electrode (20) has a plurality of holes (27 & 29 of Fig 6B & 6C) aligned in first and second directions and wherein the first direction is perpendicular to the second direction (holes are arranged in rows and columns; lines 14-18 of column 7), wherein the holes in the counter electrode have a shape of a circle (lines 12-16 of column 11), wherein a first distance between the holes arranged in the first direction (horizontal direction) is smaller than a second distance (see distance between two counter electrode 20 in vertical direction in 6B).

Regarding claim 5, Flemings et al. disclose that the cathode strip is formed of Mg-Ag alloy and aluminum (lines 20-23 of column 2).

Regarding claim 24, Fleming et al. disclose a method of fabricating an organic EL display device (see Fig 1A, 5B) comprising forming a first electrode layer (anode 14 is made of ITO, lines 19-20 of column 2) on a glass substrate (12; line 35 of column 9); forming a counter electrode (metallized leaders 20; lines 1-6 of column 7) over the first electrode layer; forming an organic EL layer (16) over the counter electrode forming a second electrode layer or cathode strip (18) over the EL layer wherein the counter electrode (20) has a plurality of first holes (27 of Fig 6B extending horizontally) and a plurality of second holes (holes 27 extending vertically), wherein the plurality of first holes are aligned in a first direction and the plurality of second holes are aligned in a second direction , wherein the first direction is substantially perpendicular to the second direction (Fig 6B; lines 14-18 of column 7), wherein the holes in the counter electrode

have a shape of a circle (lines 12-16 of column 11), and wherein a first distance between the holes arranged in the first direction (horizontal direction) is smaller than a second distance (see distance between two counter electrode 20 in vertical direction in 6B).

Claim 26 recites essentially the same limitations of claim 2, so claim 26 is rejected as claim 2 (see rejection of claim2).

Regarding claims 10 & 27-28, Flemings et al. disclose that the anode and cathode strip overlap to form one or more pixel areas and wherein the counter electrode includes multiple first and second holes in the first and second direction (see Fig 1A; lines 36-49 of column 2).

Regarding claim 29, Fleming et al. disclose that portions of the counter electrode are located between adjacent pairs of the first holes aligned in the first direction, and portions of the counter electrode are located between adjacent pairs of the second holes aligned in the second direction (Fig 6A-6C).

Regarding claim 29, Fleming et al. disclose that portions of the counter electrode are located between adjacent pairs of the first holes aligned in the first direction, and portions of the counter electrode are located between adjacent pairs of the second holes aligned in the second direction (Fig 6A-6C).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 3-7, 12-13, 24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art (AAPA), further in view of Fleming et al. (US 6,111,357).

Regarding claims 1, AAPA discloses an organic EL display device (see Fig 1 & Fig 2E) comprising a glass substrate (101), an ITO strip or first electrode layer (102), which is an anode layer; a counter electrode (103), an organic EL layer (104); a cathode strip (105), and a seal cover (109) over the glass substrate (101, see Fig 1) wherein the organic EL layer is formed between ITO strip and the cathode strip or second electrode layer (105), the counter electrode has holes (see Fig 7B).

But AAPA fails to disclose a plurality of holes aligned in first and second directions wherein the first direction is perpendicular to the second direction, the holes are in the counter electrode have a shape of circle and wherein a first distance between holes along the first direction is smaller than a second distance between holes arranged along the second direction.

However, Fleming et al. in the same filed of OLED, discloses counter electrode (20) having grid like holes (see Fig 6B & 6C) in the seal region (see Fig 1A), wherein plurality of

holes aligned in first and second directions wherein the first direction is perpendicular to the second direction, the holes are in the counter electrode have a shape of circle (lines 12-16 of column 7) and wherein a first distance between holes along the first direction (horizontal direction in Fig 6B) is smaller than a second distance between holes arranged along the second direction (Fig 6B; lines 14-18 of column 7; see distance between two counter electrode 20 in vertical direction in 6B), in order to provide a radiation cured perimeter seal through the patterned holes region (24) of the counter electrode (metallized leaders) to permit sufficient radiation directed to seal zone while maintaining sufficient required conductivity (lines 57-65 of column 3).

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide grid like holes, having a shape of a circle, as arranged by Flemings in the device of AAPA, in order to have complete curing of seal through counter electrode while maintaining sufficient conductivity of the counter electrode.

Regarding claim 3, AAPA discloses that the counter electrode (103) is formed of Mo and Cr (Paragraph 12).

Regarding claim 4, AAPA further discloses an insulating layer 106 between the ITO strip and the cathode strip and a sealant (108) to adhere the seal cover (109) over the glass substrate wherein the insulating layer extends to meet the crossing point of counter electrode and the sealant and to an area of glass substrate so as to be formed on a periphery of the organic layer 104 (see Fig 1).

Regarding claim 5, AAPA discloses that the cathode strip is formed of Mg-Ag alloy and aluminum (Paragraph 14).

Regarding claims 6 & 24, AAPA discloses a method of fabricating an organic EL display device (see Fig 2B) comprising forming an ITO strip or first electrode layer(102, 102A) on a glass substrate (101), forming a counter strip (103) on the ITO strip (102A) located in regions other than an emitting region (see Fig 2B) patterning in the counter strip or a second electrode layer to have holes (see Fig 2b, 2C, 2D, & 7B paragraph 19), forming a first insulating layer (106 of Fig 2C) on the glass substrate having ITO strip, forming barrier ribs (107) on the insulating layer (106, see Fig 2D); forming an EL layer (104) and a cathode strip (105, see Fig 2F); and adhering seal cover (109) to the glass substrate (see Fig 2F).

But AAPA fails to disclose a plurality of holes aligned in first and second directions wherein the first direction is perpendicular to the second direction, the holes are in the counter electrode have a shape of circle and wherein a first distance between holes along the first direction is smaller than a second distance between holes arranged along the second direction.

However, Fleming et al. in the same filed of OLED, discloses counter electrode (20) having grid like holes (see Fig 6B & 6C) in the seal region (see Fig 1A), wherein plurality of holes aligned in first and second directions wherein the first direction is perpendicular to the second direction, the holes are in the counter electrode have a shape of circle (lines 12-16 of column 7) and wherein a first distance between holes along the first direction (horizontal direction in Fig 6B) is smaller than a second distance between holes arranged along the second direction (Fig 6B; lines 14-18 of column 7; see distance between two counter electrode 20 in vertical direction in 6B), in order to provide a radiation cured perimeter seal through the patterned holes region (24) of the counter electrode (metallized leaders) to permit sufficient

radiation directed to seal zone while maintaining sufficient required conductivity (lines 57-65 of column 3).

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide grid like holes, having a shape of a circle, as arranged by Flemings in the device of AAPA, in order to have complete curing of seal through counter electrode while maintaining sufficient conductivity of the counter electrode.

Regarding claim 7, AAPA discloses that that the counter strip (103) has a width smaller than that of ITO strip (see paragraph 8).

Regarding claims 12-13, Flemings et al. disclose that the anode and cathode strip overlap to form one or more pixel areas and wherein the counter electrode includes multiple first and second holes in the first and second direction (see Fig 1A; lines 36-49 of column 2). The same reason for combining art as in claim 6 applied.

Regarding claim 26, AAPA discloses that the plurality of holes includes polygons (see Figs 2B-2D).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karabi Guharay whose telephone number is 571-272-2452. The examiner can normally be reached on Monday-Friday 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Minh-Toan Ton can be reached on 571-272-2303. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Karabi Guharay/
Primary Examiner, Art Unit 2889